

Examiner-Initiated Interview Summary

Application No.

10/064,727

Applicant(s)

FREEDMAN, ROBERT

Examiner

Tiffany A. Fetzner

Art Unit

2859

All Participants:(1) Tiffany A. Fetzner.(2) Bryan L. White Reg. No. 45,211.**Status of Application:** after-final

(3) _____

(4) _____

Date of Interview: 28 February 2006**Time:** 9:30am**Type of Interview:**☒ Telephonic☐ Video Conference☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)**Exhibit Shown or Demonstrated:** ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.**Rejection(s) discussed:**

The rejection of claims 30 and 31 which concern an entirely different embodiment than all of the other claims of the instant application.

Claims discussed:

claims 1 14, 28, 32, and the election of species / restriction requirement of claims 30 and 31 in detail

Prior art documents discussed:

See Continuation Sheet

Part II.**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

See Continuation Sheet

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)_____
(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Identification of prior art discussed: Lew et al., US patent 4,785,245; Freedman et al., US patent 6,032,101 and the fact that a permittivity measurement which is equivalent to a complex dielectric measurement is the dielectric measurement of the type described in applicant's current invention.

Continuation of Substance of Interview including description of the general nature of what was discussed:
Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner spoke to applicant's representative, Bryan L. White Reg. No. 45,211 on February 28th 2006 to clarify how applicant wanted to clearly set forth the limitations argued in the February 14th 2006 after-final response, since the after-final arguments make valid persuasive points, which needed to be more clearly set forth in the pending independent claims.

Applicant agreed to amend the independent claims, and the dependent claims which required the same antecedent correction, to include the "dielectric permittivity" which is an equivalent way of stating the "complex dielectric constant" terminology set forth in the originally filed application. The addition of the term permittivity as an equivalent term to complex dielectric constant was also set forth in the applicant's replacement specification, which is not a new matter situation because the examiner notes that the permittivity terminology is known in the art to be equivalent to the "complex dielectric constant" which is the terminology originally set forth in applicant's originally filed specification. Applicant also requested that the examiner insert a replacement specification into the instant application by examiner's amendment, which meets the requirements for the correct font size of the originally presented equations, so that the equations, would not be printed incorrectly when the application matures into a patent and is printed. The examiner agreed to make an examiner's amendment to the after-final amendment response of February 14th 2006, which has been marked okay to enter by the examiner, in order to resolve the remaining issues and move the application forward towards allowance.

Additionally, the examiner made a telephonic election of species requirement in the Feb. 28th 2006 telephonic interview because claims 30 and 31 are drawn to a completely different embodiment than remaining pending claims 1-4, 6-24, 28, 29 and 32. The attorney elected the species with the remaining claims, and gave the examiner permission to cancel claims 30 and 31 by examiner's amendment, in order to move the application forward. The attorney noted that he would file either a divisional application or an RCE as necessary concerning canceled independent claim 30 and its related dependent claim 31.

The examiner was thanked for her time and assistance in furthering the application forward towards allowance.